and observes the travelling traders, the "[illegible]". Both chiefs, especially the denya, sit under broad, shady trees on the market. Nearby is the gibbet, from which criminals were publicly hung until less than a decade ago. Recent additions to the market scene include a few modern tables and chairs at which treasury clerks from Addis Ababa receive import and other duties; and, within a barbed wire fence, government "dressers" of the health department from time to time, especially in epidemics, give free typhus and other injections to anyone applying and diagnosed sick.

Trade practices of the Amhara differ from much of the Middle East, especially from the Arab. The Amhara is too proud to badger a customer, and the profit motive is not as storng--he is not concerned with financial gain. The Amhara is not concerned at monetary loss in a trade transaction but his temper is aroused if he fears that he has been bettered, outwitted and made the laughing stock of others. If he has sold to a foreigner at only a little above the usual price instead of double or triple, his competitors at the market will jeer at him. In this case he will try to undo the trade, claiming linguistic misunderstanding.

As a result of this fear of being shamed, producers of native articles will not bring manufactured goods to market unless they have a previous firm order, after which the customer has to wait. It is craftsman's trade rather than commercial. This is even true of members of ethnic low-class producers, tanners, saddlemakers, smiths,

1: Messing E-5 (1953-1954)1957 MP5 Amhara MP5

671 [627] accumulate in a lifetime. The present price is usually Eth$1000.-.

[695] This practice is so strong that even at present a judge of a semi-modern court in Addis Ababa will suspend a prison sentence for involuntary manslaughter on condition that the murderer accumulate this sum and pay it to the victim's kinfolk—a wise decision preventing a new chain of murders. Recently a uniformed policeman in Addis Ababa, who was under this sentence for just that crime, made his tour among resident Europeans in the business district, begging money, with a letter in English explaining his need, signed by his own superior officer!

635 692 The absolute powers of the "ras" or "negus" in the past were limited only by the geographical boundaries of their effective military and administrative realms. All of them sat in judgment of their subjects, and combined legislative, judicial and executive powers in their persons. But each subject had the right to appeal directly to this highest authority against unjust treatment by a lower officer, provided he could throw himself in the path of the ruler and catch his attention. This right to "abyöt" ("Hear me") continues to this day.

697 Nearly all "ras" and "negus" of the past maintained political prisons for their noble relatives who might become contenders to the throne. These prisons were not walled, but located on inaccessible mountain tops, "amba", and sometimes referred to as "wäheni". One such "wäheni" was located at a place called Geshan, in the old, smaller, Begemdir district, and was used by the kings of Gondar

671 696 The intent of these guiding principles and definitions were to aid thejudge to arrive at a just verdict, preferably a "Solomonic" one. Guides were considered desirable, perhaps due to the absence of the principle of any law of precedence. The emphasis was on the "Code", and this was reinforced by the culture pattern of "literalness", in behavior.

In effect, however, these guides have enabled both draconic or bribed (and therefore lenient) judges to interpret the law with considerable subjectivity. Clever talkers-in-court never fail to use their ability to sway the public audience, which usually has a tremendous effect on the judge.

671 777 The effect of the "Fetha Nägäst" was to link the church and state. There were usually 12 provincial chief justices, "wombär", in allusion, apparently, to the 12 apostles. The "Fetha Nagäst" ruled all marriage, even 586 684 the non-ecclesiastical "semanya" marriage outside the church premises. Divorce proceedings in the old-Amhara areas still can be carried through only with agreement of the "mänfäs agway", the soul-confessor, one of the priests of the parish, although no divorce is possible in a church marriage.

This "mänfäs agway" receives a small salary from the state; he can summon local state police if the accused mate has refused to appear, to bring him by force. If the divorce is granted, the "mänfäs agway" usually sentences both mates to a fine of Eth$5.- payable to him, on the grounds that both are technically lawbreakers for

789 to make jerky motions, increasing in speed, acting "hot
694 on the trail", whereupon the lēbashay seized the loose end of the girdle. The boy pulled in one direction, and the group followed. When he entered a house, he re-enacted the activities of the thief in complete detail, including sleeping in his bed, until the lebashay prodded him to "awake" and continue the trail, saying 3 times "aderas" (get going, arrive). The boy jumped up, roughly pushed anyone in his way regardless of the normal respectful etiquette of behavior toward a "great man", and continued the chase. When he entered a hamlet or compound, everyone had to "sit", no one could leave. The boy would approach every individual, make magic contact with him by pushing him with the knee (regarded as the seat of manly power). If he seemed distracted, the lebashay might slap the boy, much as one would an unruly dog. In crossing brooks, the boy was carried across, since water was believed to draw away the power from the medicine, making him lose his "scent". If water did inadvertently splash on him, another boy had to be drugged to continue the trail. Lemons were also believed to affect the power of the medicine.

685 When the thief was found, and confessed, he had
696 to pay the fee of the lebashay, fixed during Emperor Menelik II restraining laws to a maximum of Eth$6.-; the thief also was to post two personal guarantors to guarantee that he would return the stolen item and appear in court. The lēbashay could decide to accept these conditions and release him, or turn him over to

685 the "danya". Interestingly enough, if the thief did
696 not have money on hand to pay the fee of the lēbashay, it was the responsibility of the victim who had originally requested his services to pay him on the spot, and try to collect later from the thief. This had the effect of eliminating complaints of petty theft from setting this costly process in motion.

694 It seems that amateur thieves were often caught
789 by this process, and usually confessed, feeling helpless when confronted with such "powerful" means of detection. Professional thieves, particularly in the towns, who were known to have evaded detection, were and are believed to have obtained a powerful magic antidote from a dabtara scribe.

694 When all methods of detection have failed, the
787 distraught victim has a last resort. He may go to the nearest "tänkwa", a practicer of black magic, and ask him to divine by throwing his bones. This , too, is now prohibited, but still goes on, though not as openly as before. Failing even in this, the victim may go to the Coptic church and there, having purchased incense
[754] and given a gift, pronounce a solemn curse, "säbätē masdäfat", on the thief.

171 The pattern of the lēbashay has been traced by
694 some observers to ancient Greek parallels, by others to the Arab bedouin "djirra" or "kassas" thiefseeker who also tracks murderers in tribal feuds. The tankwas seem of more typically African witchcraft pattern.

659 In 178 [695] many criminal cases, culprits who had sought asylum from the police of the state by entering a churchyard and sounding the resonant stone bells to announce to the pursuers that they had placed themselves under the protection of the church, were taken away by force, despite the protests of the priests. This so deteriorated some of the temporal power of the church that persons involved in kin bloodfeuds were also no longer safe in [688] church confines. Conversely, the traditional request of priests to law enforcement agencies of the state to arrest violaters of church rules (e.g. adulterers) now go unheeded except in remote rural areas, and even there such a prisoner is no longer held and sentenced to an [688] indefinite term on such a charge. Fines and imprisonment for violation of the Sabbath or for working on a saint's day, also are no longer enforceable.

An official extreme in this direction was reached in 1942, when, a year after his victorious return, Emperor Haile Selassie issued a series of decrees stripping the church of all feudal power, and most of its temporal power, except in the town of Aksum. Under these decrees, church land could henceforth be taxed by the state, though the taxes were to be used to administer church maintenance and education; church courts could levy only spiritual penalties, not money fines; the Central Treasury of the state was to administer rents from church lands. All statute-labor ("gabbar") rights of the church over sharecropping peasants living on its former feudal estates were abrogated.